

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A.#04-10550-WGY

JACQUELINE LASSITER

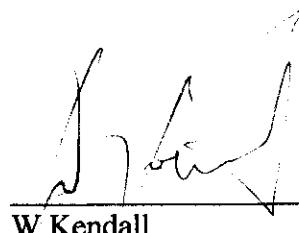
v.

KIMBER ANDERSON ET AL.

AFFIDAVIT IN SUPPORT OF
MOTION FOR ORDER THAT
DEFENDANT FLEET NATIONAL
BANK SUPPLEMENT ANSWER
TO REQUEST FOR PRODUCTION

I, W.Kendall, depose and say that:

1. I am counsel for plaintiff.
2. In its Answer to Request For Production, #7, defendant Fleet National Bank indicated that it did possess an Affirmative Action Plan or/and Affirmative Action Policy and that it would make it available for inspection at the Office of defendant's counsel. (A copy of the Responses has been marked as Exhibit 2 and is on file in this action in connection with Plaintiff's First Motion To Strike and For Further Answers to Interrogatories and to Request For Production-and is incorporated by reference).
3. Annexed hereto as Exhibit 10, is a copy of plaintiff's letter to defense counsel requesting that defendant supplement its response to Request #9, in light of defense counsel's statement as to "unavailability" of a copy of the Plan.
4. Plaintiff has not received any indication that defendant has supplemented its Answer, in accordance with the request.
5. Supplementation is necessary in order to accurately portray the record with regard to the defendant Bank's compliance with the requirements of 41 CFR S.60-1..12(a);(b);(d) and 60-1.40.



W. Kendall